Steps for speedy disposal of cases

1103.SHRI VIJAY J. DARDA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government are aware that anachronistic investigative methods, coupled with archaic procedural and criminal laws are a major cause of judicial delays and the increasing acquittals, thereby creating a tension-free environments for terrorists, separatists, mafias, tax thieves etc.;

(b) if so, what steps Government propose to adopt with a view to ensuring speedy dispensation of justice; and

(c) how the menace of planted and stock witness, complete volte-face by witnesses, and uninspiring confidence, at times exhibited by trying judges, is proposed to be tackled?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) Criminal laws are amended from time to time to deal with the socio-economic environment in the country and changing crime patterns. Laws are framed or amended to meet the changing trends in criminal offences.

(b) For speedy dispensation of justice, Government has taken various actions like establishment of fast track courts in many places in the country.

(c) In the Indian Penal Code, provisions are already there for punishing anybody for giving false evidence. The Criminal Law (Amendment) Bill, 2003 has already been moved in the Parliament for amending the Code of criminal procedure, to deal with the problem of witnesses turning hostile. It has provisions for summary trial for perjury and also enhanced punishment for this offence.

National Judicial Commission

1104. DR. VIJAY MALLYA:
SHRI RAJEEV SHUKLA:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the National Commission to review the

working of the Constitution had recommended that a National Judicial Commission be set up so that there is wider public participation and transparency;

(b) whether Government have examined the recommendation and if so, the action taken in this regard;

(c) in view of the complaints on the functioning of the judiciary particularly at the higher levels, which can be looked into by such a National Judicial Commission, why there has been so much delay in appointing the Commission; and

(d) the time frame to set up the Commission?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) and (b) Yes, Sir. The Constitution (Ninety Eighth Amendment) Bill, 2003 was introduced in the Lok Sabha on 9.5.2003 for setting up of a National Judicial Commission. The Bill has, however, lapsed due to dissolution of the last Lok Sabha in May, 2004.*-

(c) and (d) The Chief Justice of India and the Chief Justice of a High Court have the competence to receive complaints against the conduct of the Judge of his Court and when he receives any, he would look into it whether the allegations deserve to be closely looked into. There is no proposal for setting up of National Judicial Commission.

Constitution Review Commission

1105. SHRI YASHWANT SINHA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government have received recommendations of the Constitution Review Commission set up by the previous Government; and

(b) if so, Government's response thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) Yes, Sir. The National Commission to Review the Working of the Constitution submitted its report to the Government on 31 st March, 2002.

(b) The full text of the report of the Commission has been put on the